

AMENDED IN ASSEMBLY MAY 17, 2016

AMENDED IN SENATE MARCH 29, 2016

**SENATE BILL**

**No. 1165**

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**Introduced by Senator Cannella**

February 18, 2016

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An act to amend Sections 6751, 6755, 6756, 6762, 6763.5, 6796, 6796.3, 6796.5, 6799, 7835, 7835.1, 7841, 7842, 7843, 7850, 7850.1, 7850.5, 7852, 7852.1, 7884, 8731, 8740, 8741, 8741.1, 8742, 8743, 8744, 8747, 8748.5, 8802, 8803, 8803.1, and 8805 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1165, as amended, Cannella. Engineers, geologists, geophysicists, and land surveyors.

The Board for Professional Engineers, Land Surveyors, and Geologists, which is within the Department of Consumer Affairs, administers the Professional Engineers Act, the Geologist and Geophysicist Act, and the Professional Land Surveyors' Act. Those acts provide for licensure and regulation of those respective professions by the board.

The Professional Engineers Act requires an applicant for registration as a professional engineer to meet specified requirements, including that an applicant for the second division examination has successfully passed the first division examination. That act requires an applicant for a certificate as an engineer-in-training to meet specified requirements and requires the applicant to satisfactorily complete 3 years or more of postsecondary education or engineering experience, or a combination of both, before the applicant is eligible to sit for the first division examination. That act authorizes the board to waive the first division

examination for an applicant whose education and experience substantially exceeds the requirements for registration or certification. That act generally permits certificates of registration as a professional engineer and certificates of authority, which authorize the use of specific titles, to be renewed at any time within 3 years after expiration. That act prohibits the renewal, restoration, reinstatement, or reissuance of these certificates unless the applicant meets certain requirements. That act requires the board to set fees, as specified, and requires the renewal fee for a license to be no more than the application fee currently in effect and prohibits the application fee from being greater than \$400.

This bill ~~would~~ would delete the requirement that an applicant for licensure as a professional engineer pass the first division examination in order to sit for the second division examination and would delete the requirement that an applicant for a certificate as an engineer-in-training successfully complete 3 years or more of postsecondary education or engineering experience, or a combination of both, before the applicant is eligible to sit for the first division examination. The bill would instead authorize the board to provide for a waiver of the first division examination for an applicant for a certificate as an engineer-in-training if the applicant's education and experience substantially exceeds the requirements for a certificate. The bill would extend the 3-year renewal period to 5 years after expiration of the certificate of licensure or certificate of authority. The bill would generally prohibit the renewal, restoration, reinstatement, or reissuance of those certificates after 5 years and would authorize the holder of the certificate, after that time, to apply and obtain a new certificate if he or she has not committed acts or crimes that are grounds for denial and he or she passes an examination, if required. The bill would require the renewal fee for a license to be no more than \$400. The bill would also make other technical and conforming changes.

Existing law, the Geologist and Geophysicist Act, requires an applicant for *licensure as a geologist to meet certain requirements, including graduation from a college or university with a major in geological sciences or any other discipline, that in the opinion of the board, is relevant to geology, and requires an applicant for a certification in a specialty in geology to meet certain requirements, including 7 years of specified professional geological work.* That act prescribes requirements for plans, specifications, reports, or other documents prepared by a professional geologist or geophysicist, or by a subordinate, including a requirement that they be signed or stamped

with the practitioner's seal. Existing law authorizes geologists, specialty geologists, geophysicists, and specialty geophysicists to obtain a seal that meets specified requirements.

This bill would *additionally allow an applicant for licensure as a geologist, instead of the above-mentioned graduation requirement, to have completed a combination of at least 30 semester hours, or the equivalent, in courses that, in the opinion of the board, are relevant to geology and would require that at least 24 semester hours, or the equivalent, be in upper division or graduate courses.* The bill would additionally require an applicant for a certification in a specialty in geology to successfully pass a written examination in that specialty. The bill would require the plans, specifications, reports, and other documents prepared by geologists or geophysicists, or their subordinates, to be both signed and stamped. The bill would instead require geologists, specialty geologists, geophysicists, and specialty geophysicists to obtain a seal.

The Professional Land Surveyors' Act requires an applicant for licensure under the act to meet specified requirements, including successfully passing the second division of the examination, and requires an applicant for a certificate as a land-surveyor-in-training to meet specified requirements, including passing the first division of the examination. That act requires an application for each division of the examination to be made to the board, as specified. That act generally permits licenses to be renewed at any time within 3 years after expiration. The act prohibits the renewal, restoration, reinstatement, or reissuance of a license unless the applicant meets certain requirements. That act requires the board to set fees, as specified, and requires the renewal fee for a license to be no more than the application fee currently in effect and prohibits the application fee from being greater than \$400.

This bill would additionally require an applicant for certification as a land surveyor-in-training and an applicant for licensure as a land surveyor to not have committed specified acts or crimes constituting grounds for denial of licensure. The bill would require an applicant for a certification as a land surveyor-in-training to have satisfactorily completed 2 years or more of postsecondary education in land surveying or experience in land surveying, or a combination of both, and would authorize the board to prescribe the reasonable educational or experience requirements an applicant needs to meet by regulation. The bill would additionally require an applicant for licensure as a land surveyor to be certified as a land surveyor-in-training in this state, be certified as a

land surveyor-in-training or surveyor intern in another state or United States territory, or be exempt, as specified. The bill would instead require an application for certification or licensure under the act to be made to the board on a form prescribed by the board. The bill would extend the period within which a renewal of a license may be made to 5 years after expiration. The bill would generally prohibit the renewal, restoration, reinstatement, or reissuance of a license after 5 years and would authorize the holder of a license, after that time, to apply and obtain a new license if he or she has not committed acts or crimes that are grounds for denial and he or she passes an examination, if required. The bill would require the renewal fee for a license to be no more than \$400. This bill would also make other technical and conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 6751 of the Business and Professions  
2     Code is amended to read:  
3     6751. (a) The applicant for certification as an  
4     engineer-in-training shall comply with all of the following:  
5         (1) Not have committed acts or crimes constituting grounds for  
6         denial of licensure under Section 480.  
7         (2) Successfully pass the first division of the examination.  
8         (3) Satisfactorily complete three years or more of postsecondary  
9         engineering education, three years or more of engineering  
10        experience, or a combination of postsecondary education and  
11        experience in engineering totaling three years.  
12     (b) The board need not verify the applicant's eligibility for  
13     certification as an engineer-in-training other than to require the  
14     applicant to sign a statement of eligibility on the application form.  
15     (c) The applicant for licensure as a professional engineer shall  
16     comply with all of the following:  
17         (1) Not have committed acts or crimes constituting grounds for  
18         denial of licensure under Section 480.  
19         (2) Furnish evidence of six years or more of qualifying  
20         experience in engineering work satisfactory to the board evidencing  
21         that the applicant is competent to practice the character of  
22         engineering in the branch for which he or she is applying for  
23         licensure.

1 (3) Be certified as an engineer-in-training in this state, be  
2 certified as an engineer-in-training or engineer intern in another  
3 state or territory of the United States, or be exempt therefrom.

4 (4) Successfully pass the second division of the examination.

5 SEC. 2. Section 6755 of the Business and Professions Code is  
6 amended to read:

7 6755. (a) Examination duration and composition shall be  
8 designed to conform to the following general principle: The first  
9 division of the examination shall test the applicant's knowledge  
10 of appropriate fundamental engineering subjects, including  
11 mathematics and the basic sciences; the second division of the  
12 examination shall test the applicant's ability to apply his or her  
13 knowledge and experience and to assume responsible charge in  
14 the professional practice of the branch of engineering in which the  
15 applicant is being examined.

16 (b) The board may by rule provide for a waiver of the first  
17 division of the examination for applicants whose education and  
18 experience qualifications substantially exceed the requirements of  
19 subdivision (a) of Section 6751.

20 (c) The board may by rule provide for a waiver of the second  
21 division of the examination for persons eminently qualified for  
22 licensure in this state by virtue of their standing in the engineering  
23 community, their years of experience, and those other qualifications  
24 as the board deems appropriate.

25 SEC. 3. Section 6756 of the Business and Professions Code is  
26 amended to read:

27 6756. (a) An applicant for certification as an  
28 engineer-in-training shall, upon meeting all of the requirements  
29 prescribed in subdivisions (a) and (b) of Section 6751, be issued  
30 a certificate as an engineer-in-training. A renewal or other fee,  
31 other than the application and examination fees, shall not be  
32 charged for this certification. The certificate shall become invalid  
33 when the holder has qualified as a professional engineer as  
34 provided in Section 6762.

35 (b) An engineer-in-training certificate does not authorize the  
36 holder thereof to practice or offer to practice civil, electrical, or  
37 mechanical engineering work, in his or her own right, or to use  
38 the titles specified in Sections 6732, 6736, and 6736.1.

1 (c) It is unlawful for anyone other than the holder of a valid  
2 engineer-in-training certificate issued under this chapter to use the  
3 title of “engineer-in-training” or any abbreviation of that title.

4 SEC. 4. Section 6762 of the Business and Professions Code is  
5 amended to read:

6 6762. Any applicant for licensure as a professional engineer,  
7 upon meeting all of the requirements prescribed in subdivision (c)  
8 of Section 6751 and who has otherwise qualified hereunder as a  
9 professional engineer, shall have a certificate of registration issued  
10 to him or her as a professional engineer in the particular branch  
11 for which he or she is found qualified.

12 SEC. 5. Section 6763.5 of the Business and Professions Code  
13 is amended to read:

14 6763.5. If an applicant for licensure as a professional engineer,  
15 for certification as an engineer-in-training, or for authorization to  
16 use the title “structural engineer” or “soil engineer” is found by  
17 the board to lack the qualifications required for admission to the  
18 examination for such licensure, certification, or authorization, the  
19 board may, in accordance with the provisions of Section 158 of  
20 this code, refund to him or her one-half of the amount of his or her  
21 application fee.

22 SEC. 6. Section 6796 of the Business and Professions Code is  
23 amended to read:

24 6796. Except as otherwise provided in this article, certificates  
25 of registration as a professional engineer and certificates of  
26 authority may be renewed at any time within five years after  
27 expiration on filing of application for renewal on a form prescribed  
28 by the board and payment of all accrued and unpaid renewal fees.  
29 If the certificate is renewed more than 60 days after its expiration,  
30 the certificate holder, as a condition precedent to renewal, shall  
31 also pay the delinquency fee prescribed by this chapter. Renewal  
32 under this section shall be effective on the date on which the  
33 application is filed, on the date on which the renewal fee is paid,  
34 or on the date on which the delinquency fee, if any, is paid,  
35 whichever last occurs.

36 The expiration date of a certificate renewed pursuant to this  
37 section shall be determined pursuant to Section 6795.

38 SEC. 7. Section 6796.3 of the Business and Professions Code  
39 is amended to read:

1 6796.3. (a) Certificates of registration as a professional  
2 engineer, and certificates of authority to use the title “structural  
3 engineer,” “soil engineer,” or “consulting engineer” that are not  
4 renewed within five years after expiration may not be renewed,  
5 restored, reinstated, or reissued. After five years after expiration,  
6 the holder of a certificate may apply for and obtain a new certificate  
7 subject to the following:

8 (1) He or she has not committed any acts or crimes constituting  
9 grounds for denial of licensure under Section 480.

10 (2) He or she takes and passes the examination, if any, that  
11 would be required of him or her if he or she were then applying  
12 for the certificate for the first time.

13 (b) The board may, by regulation, provide for the waiver or  
14 refund of all or any part of the application fee in those cases in  
15 which a certificate is issued without an examination pursuant to  
16 this section.

17 SEC. 8. Section 6796.5 of the Business and Professions Code  
18 is amended to read:

19 6796.5. Once an expired or delinquent certificate of registration  
20 or certificate of authority is renewed pursuant to Section 6796, all  
21 of the following shall apply:

22 (a) The board shall continue to have full jurisdiction and  
23 authority over the certificate holder as if the authority had not  
24 expired or become delinquent.

25 (b) The work performed by the certificate holder during a period  
26 of expiration or delinquency shall be deemed lawful and validly  
27 performed as to persons or entities other than the authority holder.

28 (c) The renewal of a registration or certificate of authority shall  
29 not affect liability issues regarding work performed during a period  
30 of expiration or delinquency, nor does the fact of performance  
31 during a period of expiration or delinquency affect liability issues.

32 SEC. 9. Section 6799 of the Business and Professions Code is  
33 amended to read:

34 6799. (a) The amount of the fees prescribed by this chapter  
35 shall be fixed by the board in accordance with the following  
36 schedule:

37 (1) The fee for filing each application for licensure as a  
38 professional engineer and each application for authority level  
39 designation at not more than four hundred dollars (\$400) and for

1 each application for certification as an engineer-in-training at not  
2 more than one hundred dollars (\$100).

3 (2) The fee to take an examination administered by a public or  
4 private organization pursuant to Section 6754 shall be no greater  
5 than the actual cost of the development and administration of the  
6 examination and may be paid directly to the organization by the  
7 applicant.

8 (3) The renewal fee for each branch of professional engineering  
9 in which licensure is held, and the renewal fee for each authority  
10 level designation held, at no more than four hundred dollars (\$400).

11 (4) The fee for a retired license at not more than 50 percent of  
12 the professional engineer application fee in effect on the date of  
13 application.

14 (5) The delinquency fee at not more than 50 percent of the  
15 renewal fee in effect on the date of reinstatement.

16 (6) The board shall establish by regulation an appeal fee for  
17 examination. The regulation shall include provisions for an  
18 applicant to be reimbursed the appeal fee if the appeal results in  
19 passage of examination. The fee charged shall be no more than  
20 the costs incurred by the board.

21 (7) All other document fees are to be set by the board by rule.

22 (b) Applicants wishing to be examined in more than one branch  
23 of engineering shall be required to pay the additional fee for each  
24 examination after the first.

25 SEC. 10. Section 7835 of the Business and Professions Code  
26 is amended to read:

27 7835. All geologic plans, specifications, reports, or documents  
28 shall be prepared by a professional geologist or licensed certified  
29 specialty geologist, or by a subordinate employee under his or her  
30 direction. In addition, they shall be signed by the professional  
31 geologist or licensed certified specialty geologist and stamped with  
32 his or her seal, both of which shall indicate his or her responsibility  
33 for them.

34 SEC. 11. Section 7835.1 of the Business and Professions Code  
35 is amended to read:

36 7835.1. All geophysical plans, specifications, reports, or  
37 documents shall be prepared by a professional geophysicist,  
38 licensed certified specialty geophysicist, professional geologist,  
39 licensed certified specialty geologist, or by a subordinate employee  
40 under his or her direction. In addition, they shall be signed by the



1 professional geophysicist, licensed certified specialty geophysicist,  
2 professional geologist, or licensed certified specialty geologist,  
3 and stamped with his or her seal, both of which shall indicate his  
4 or her responsibility for them.

5 *SEC. 12. Section 7841 of the Business and Professions Code*  
6 *is amended to read:*

7 7841. An applicant for licensure as a geologist shall have all  
8 the following qualifications:

9 (a) Not have committed any acts or crimes constituting grounds  
10 for denial of licensure under Section 480.

11 ~~(b)~~

12 *(b) Meet either of the following educational requirements*  
13 *fulfilled at a school or university whose curricula meet criteria*  
14 *established by rules of the board:*

15 *(1) Graduation from a college or university with a major in*  
16 *geological sciences or any other discipline that, in the opinion of*  
17 *the board, is relevant to geology.*

18 *(2) Completion of a combination of at least 30 semester hours,*  
19 *or the equivalent, in courses that, in the opinion of the board, are*  
20 *relevant to geology. At least 24 semester hours, or the equivalent,*  
21 *shall be in upper division or graduate courses.*

22 (c) Have a documented record of a minimum of five years of  
23 professional geological experience of a character satisfactory to  
24 the board, demonstrating that the applicant is qualified to assume  
25 responsible charge of this work upon licensure as a geologist. This  
26 experience shall be gained under the supervision of a geologist or  
27 geophysicist licensed in this or any other state, or under the  
28 supervision of others who, in the opinion of the board, have the  
29 training and experience to have responsible charge of geological  
30 work. Professional geological work does not include routine  
31 sampling, laboratory work, or geological drafting.

32 Each year of undergraduate study in the geological sciences shall  
33 count as one-half year of training up to a maximum of two years,  
34 and each year of graduate study or research counts as a year of  
35 training.

36 Teaching in the geological sciences at college level shall be  
37 credited year for year toward meeting the requirement in this  
38 category, provided that the total teaching experience includes six  
39 semester units per semester, or equivalent if on the quarter system,  
40 of upper division or graduate courses.

1 Credit for undergraduate study, graduate study, and teaching,  
2 individually, or in any combination thereof, shall in no case exceed  
3 a total of three years towards meeting the requirement for at least  
4 five years of professional geological work as set forth above.

5 The ability of the applicant shall have been demonstrated by the  
6 applicant having performed the work in a responsible position, as  
7 the term “responsible position” is defined in regulations adopted  
8 by the board. The adequacy of the required supervision and  
9 experience shall be determined by the board in accordance with  
10 standards set forth in regulations adopted by it.

11 (d) Successfully pass a written examination that incorporates a  
12 national examination for geologists created by a nationally  
13 recognized entity approved by the board, and a supplemental  
14 California specific examination. The California specific  
15 examination shall test the applicant’s knowledge of state laws,  
16 rules and regulations, and of seismicity and geology unique to  
17 practice within this state.

18 ~~SEC. 12.~~

19 *SEC. 13.* Section 7842 of the Business and Professions Code  
20 is amended to read:

21 7842. (a) An applicant for certification in a specialty in geology  
22 shall meet all of the requirements of Section 7841, shall be a  
23 geologist licensed under this chapter, and, in addition, his or her  
24 seven years of professional geological work shall include one of  
25 the following:

26 (1) A minimum of three years performed under the supervision  
27 of a geologist certified in the specialty for which the applicant is  
28 seeking certification or under the supervision of a licensed civil  
29 engineer if the applicant is seeking certification as an engineering  
30 geologist, except that prior to July 1, 1970, professional geological  
31 work shall qualify under this subdivision if it is performed under  
32 the supervision of a geologist qualified in the specialty for which  
33 the applicant is seeking certification or under the supervision of a  
34 licensed civil engineer if the applicant is seeking certification as  
35 an engineering geologist.

36 (2) A minimum of five years’ experience in responsible charge  
37 of professional geological work in the specialty for which the  
38 applicant is seeking certification.

(b) In addition to meeting the requirements of subdivision (a), an applicant for certification in a specialty of geology shall successfully pass a written examination in that specialty.

~~SEC. 13.~~

*SEC. 14.* Section 7843 of the Business and Professions Code is amended to read:

7843. (a) An applicant for certification as a geologist-in-training shall, upon meeting all the requirements prescribed in Section 7841.2, be issued a certificate as a geologist-in-training. A renewal or other fee, other than the application fee, may not be charged for this certification. The certificate shall become invalid when the holder has qualified as a professional geologist as provided in Section 7841.

(b) A geologist-in-training certificate does not authorize the holder thereof to practice or offer to practice geology, in his or her own right, or to use the title specified in Section 7804.

(c) It is unlawful for anyone other than the holder of a valid geologist-in-training certificate issued under this chapter to use the title of “geologist-in-training” or any abbreviation of that title.

~~SEC. 14.~~

*SEC. 15.* Section 7850 of the Business and Professions Code is amended to read:

7850. Any applicant for licensure as a professional geologist who meets all the requirements prescribed in Section 7841 and who has otherwise qualified hereunder as a geologist, upon payment of the registration fee fixed by this chapter, shall have a certificate of registration issued to him or her as a professional geologist.

~~SEC. 15.~~

*SEC. 16.* Section 7850.1 of the Business and Professions Code is amended to read:

7850.1. Any applicant for licensure as a professional geophysicist who meets all the requirements prescribed in Section 7841.1 and who has otherwise qualified hereunder as a geophysicist, upon payment of the registration fee fixed by this chapter, shall have a certificate of registration issued to him or her as a professional geophysicist.

~~SEC. 16.~~

*SEC. 17.* Section 7850.5 of the Business and Professions Code is amended to read:

1     7850.5. An applicant for certification as a certified specialty  
2 geologist who meets all the requirements prescribed in Section  
3 7842 and who has otherwise qualified under this chapter in the  
4 specialty, upon payment of the fee fixed by this chapter, shall have  
5 a certificate issued to him or her as a certified specialty geologist.

6     A certificate of certified specialty geologist shall be signed by  
7 the president and executive officer and issued under the seal of  
8 the board.

9     ~~SEC. 17.~~

10    *SEC. 18.* Section 7852 of the Business and Professions Code  
11 is amended to read:

12    7852. (a) Each geologist licensed under this chapter shall,  
13 upon licensure, obtain a seal of the design authorized by the board  
14 bearing the licensee's name, number of his or her certificate, and  
15 the legend "professional geologist."

16    (b) Each specialty geologist certified under this chapter shall,  
17 upon certification, obtain a seal of the design authorized by the  
18 board bearing the licensee's name, number of his or her certificate,  
19 and the legend of the appropriate specialty in geology in which he  
20 or she is certified under this chapter.

21    ~~SEC. 18.~~

22    *SEC. 19.* Section 7852.1 of the Business and Professions Code  
23 is amended to read:

24    7852.1. (a) Each geophysicist licensed under this chapter shall,  
25 upon licensure, obtain a seal of the design authorized by the board  
26 bearing the licensee's name, number of his or her certificate, and  
27 the legend "professional geophysicist."

28    (b) Each specialty geophysicist certified under this chapter shall,  
29 upon certification, obtain a seal of the design authorized by the  
30 board bearing the licensee's name, number of his or her certificate,  
31 and the legend of the appropriate specialty in geophysics in which  
32 he or she is certified under this chapter.

33    ~~SEC. 19.~~

34    *SEC. 20.* Section 7884 of the Business and Professions Code  
35 is amended to read:

36    7884. Certificates of licensure as a geologist or as a  
37 geophysicist or certified specialty certificates which are not  
38 renewed within five years after expiration may not be renewed,  
39 restored, reinstated, or reissued thereafter. The holder of that

1 certificate may apply for and obtain a new certificate, however,  
2 if:

3 (a) He or she has not committed any acts or crimes constituting  
4 grounds for denial of licensure under Section 480.

5 (b) He or she takes and passes the examination, if any, which  
6 would be required of him or her if he or she were then applying  
7 for the certificate for the first time.

8 The board may, by regulation, provide for the waiver or refund  
9 of all or any part of the application fee in those cases in which a  
10 certificate is issued without an examination pursuant to this section.

11 ~~SEC. 20.~~

12 *SEC. 21.* Section 8731 of the Business and Professions Code  
13 is amended to read:

14 8731. A licensed civil engineer and a civil engineer exempt  
15 from licensure under Chapter 7 (commencing with Section 6700)  
16 are exempt from licensing under this chapter and may engage in  
17 the practice of land surveying with the same rights and privileges  
18 and the same duties and responsibilities as a licensed land surveyor,  
19 provided that for civil engineers who become licensed after January  
20 1, 1982, they shall obtain a license as a land surveyor under the  
21 provisions of this chapter, before practicing land surveying as  
22 defined in this chapter.

23 ~~SEC. 21.~~

24 *SEC. 22.* Section 8740 of the Business and Professions Code  
25 is amended to read:

26 8740. (a) An application for a certificate as a land  
27 surveyor-in-training or for a license as a land surveyor shall be  
28 made to the board on the form prescribed by it, with all statements  
29 therein made under oath, and shall be accompanied by the fee fixed  
30 by this chapter.

31 (b) The board may authorize an organization specified by the  
32 board pursuant to Section 8745 to receive directly from applicants  
33 payment of the examination fees charged by that organization as  
34 payment for examination materials and services.

35 ~~SEC. 22.~~

36 *SEC. 23.* Section 8741 of the Business and Professions Code  
37 is amended to read:

38 8741. (a) An applicant for certification as a land  
39 surveyor-in-training shall comply with all of the following:

1 (1) Not have committed acts or crimes constituting grounds for  
2 denial of licensure under Section 480.

3 (2) Successfully pass the first division of the examination.

4 (3) Satisfactorily complete two years or more of postsecondary  
5 education in land surveying, two years or more of experience in  
6 land surveying, or a combination of postsecondary education and  
7 experience in land surveying.

8 (b) The board need not verify the applicant's eligibility for  
9 certification as a land surveyor-in-training other than to require  
10 the applicant to sign a statement of eligibility on the application  
11 form.

12 (c) The board may prescribe by regulation reasonable  
13 educational or experience requirements for an applicant to meet  
14 the requirements in paragraph (3) of subdivision (a).

15 (d) An applicant for licensure as a professional land surveyor  
16 shall comply with all of the following:

17 (1) Not have committed acts or crimes constituting grounds for  
18 denial of licensure under Section 480.

19 (2) Furnish evidence that he or she meets the requirements of  
20 Section 8742.

21 (3) Successfully passed the second division of the examination

22 (4) Be certified as a land surveyor-in-training in this state, be  
23 certified as a land surveyor-in-training or surveyor intern in another  
24 state or territory of the United States, or be exempt therefrom. An  
25 applicant licensed by the board as a civil engineer is exempt from  
26 the requirement of this paragraph.

27 (5) Be thoroughly familiar with (A) the procedure and rules  
28 governing the survey of public lands as set forth in Manual of  
29 Surveying Instructions (2009), published by the federal Bureau of  
30 Land Management, and (B) the principles of real property relating  
31 to boundaries and conveyancing.

32 ~~SEC. 23.~~

33 *SEC. 24.* Section 8741.1 of the Business and Professions Code  
34 is amended to read:

35 8741.1. (a) The first division of the examination shall test the  
36 applicant's fundamental knowledge of surveying, mathematics,  
37 and basic science.

38 (b) The second division of the examination shall test the  
39 applicant's ability to apply his or her knowledge and experience

1 and to assume responsible charge in the professional practice of  
2 land surveying.

3 The second division of the examination shall include an  
4 examination that incorporates a national examination for land  
5 surveying by a nationally recognized entity approved by the board  
6 and a supplemental California specific examination. The California  
7 specific examination shall include, as a separate part, an  
8 examination to test the applicant's knowledge of the provisions of  
9 this chapter and the board's rules and regulations regulating the  
10 practice of professional land surveying in this state.

11 (c) The board may by rule provide a waiver of the first division  
12 of the examination for applicants whose education and experience  
13 qualifications substantially exceed the requirements of Section  
14 8742.

15 (d) The board may by rule provide for a waiver of the second  
16 division of the examination and the assignment to a special  
17 examination for those applicants whose educational qualifications  
18 are equal to, and whose experience qualifications substantially  
19 exceed, those qualifications established under subdivision (c). The  
20 special examination may be either written or oral, or a combination  
21 of both.

22 ~~SEC. 24.~~

23 *SEC. 25.* Section 8742 of the Business and Professions Code  
24 is amended to read:

25 8742. (a) The educational qualifications and experience in  
26 land surveying, which an applicant for a license as a land surveyor  
27 shall possess, shall not be less than one of the following prescribed  
28 criteria:

29 (1) Graduation from a four-year curriculum with an emphasis  
30 in land surveying approved by the board or accredited by a national  
31 or regional accrediting agency recognized by the United States  
32 Office of Education at a postsecondary educational institution and  
33 two years of actual broad based progressive experience in land  
34 surveying, including one year of responsible field training and one  
35 year of responsible office training, satisfactory to the board.

36 (2) Actual broad based progressive experience in land surveying  
37 for at least six years, including one year of responsible field training  
38 and one year of responsible office training, satisfactory to the  
39 board.

1 (3) Licensure as a civil engineer with two years of actual broad  
2 based progressive experience in land surveying satisfactory to the  
3 board.

4 (b) With respect to an applicant for a license as a land surveyor,  
5 the board shall count one year of postsecondary education in land  
6 surveying as one year of experience in land surveying up to a  
7 maximum of four years, provided the applicant has graduated from  
8 the course in land surveying and the curriculum in land surveying  
9 is approved by the board or is accredited by a regional or national  
10 accrediting agency recognized for the purpose by the United States  
11 Office of Education. Each year of study in an approved or an  
12 accredited course in land surveying without graduation shall be  
13 counted the same as one-half year of experience.

14 Each applicant claiming equivalent credit for education may be  
15 required to produce a complete transcript of all college level  
16 courses completed.

17 Until January 1, 2000, the board may, at its discretion, confer  
18 credit as experience in land surveying, not in excess of two years,  
19 for successfully passing the first division of the examination  
20 prescribed in Section 8741.1.

21 ~~SEC. 25.~~

22 *SEC. 26.* Section 8743 of the Business and Professions Code  
23 is amended to read:

24 8743. The names and addresses of at least four land surveyors  
25 or civil engineers, duly qualified to practice in the place in which  
26 such practice has been conducted, each of whom has sufficient  
27 knowledge of the applicant to enable him or her to certify to the  
28 applicant's professional integrity, ability and fitness to receive a  
29 license, shall be submitted with the application for a license as a  
30 land surveyor.

31 ~~SEC. 26.~~

32 *SEC. 27.* Section 8744 of the Business and Professions Code  
33 is amended to read:

34 8744. The applicant for a license as a land surveyor shall state  
35 in his or her application that, should he or she be licensed, he or  
36 she will support the Constitution of this State and of the United  
37 States, and that he or she will faithfully discharge the duties of a  
38 licensed land surveyor.



~~SEC. 27.~~

*SEC. 28.* Section 8747 of the Business and Professions Code is amended to read:

8747. Any applicant who has met the requirements for certification or licensure prescribed by the board under this chapter shall have a suitable license issued to him or her.

(a) An applicant who has met the requirements of subdivision (a) and (b) of Section 8741 shall be issued a certificate as a land surveyor-in-training. A renewal or other fee, other than the application fee, shall not be charged for this certification. This certificate shall become invalid upon the person being issued a license as a land surveyor, as provided in subdivision (b). A land surveyor-in-training certificate shall not authorize the holder thereof to practice or offer to practice land surveying. A person shall not use the title of land surveyor-in-training, or any abbreviation of this title, unless he or she is the holder of a valid land surveyor-in-training certificate.

(b) An applicant who has met the requirements of subdivision (d) of Section 8741 shall be issued a license as a land surveyor. The license shall authorize him or her to practice as a land surveyor.

~~SEC. 28.~~

*SEC. 29.* Section 8748.5 of the Business and Professions Code is amended to read:

8748.5. If an applicant for license as a land surveyor or certification as a land surveyor-in-training is found by the board to lack the qualifications required for such license or certification, the board may, in accordance with the provisions of Section 158 of this code, refund to him or her one-half of the amount of his or her application fee.

~~SEC. 29.~~

*SEC. 30.* Section 8802 of the Business and Professions Code is amended to read:

8802. Except as otherwise provided in this article, licenses issued under this chapter may be renewed at any time within five years after expiration on filing of application for renewal on a form prescribed by the board and payment of all accrued and unpaid renewal fees. If the license is renewed more than 30 days after its expiration, the licensee, as a condition precedent to renewal, shall also pay the delinquency fee prescribed by this chapter. Renewal under this section shall be effective on the date on which the

1 application is filed, on the date on which the renewal fee is paid,  
2 or on the date on which the delinquency fee, if any, is paid,  
3 whichever last occurs. If so renewed, the license shall continue in  
4 effect through the date provided in Section 8801 which next occurs  
5 after the effective date of the renewal, when it shall expire if it is  
6 not again renewed.

7 ~~SEC. 30.~~

8 *SEC. 31.* Section 8803 of the Business and Professions Code  
9 is amended to read:

10 8803. (a) A license that is not renewed within five years after  
11 its expiration may not be renewed, restored, reissued, or reinstated.  
12 After five years after expiration, the holder of a license may apply  
13 for and obtain a new license subject to the following:

14 (1) He or she has not committed any acts or crimes constituting  
15 grounds for denial of licensure under Section 480.

16 (2) He or she takes and passes the examination, if any, that  
17 would be required if applying for the license for the first time.

18 (b) The board may, by regulation, provide for the waiver or  
19 refund of all or any part of the application fee in those cases in  
20 which a license is issued without an examination pursuant to this  
21 section.

22 ~~SEC. 31.~~

23 *SEC. 32.* Section 8803.1 of the Business and Professions Code  
24 is amended to read:

25 8803.1. Once an expired or delinquent license is renewed  
26 pursuant to Section 8802, all of the following apply:

27 (a) The board shall continue to have full jurisdiction and  
28 authority over the licensee as if the license had not expired or  
29 become delinquent.

30 (b) The work performed by the licensee during a period of  
31 expiration or delinquency shall be deemed lawful and validly  
32 performed as to persons or entities other than the licensee.

33 (c) The renewal of a license shall not affect liability issues  
34 regarding work performed during a period of expiration or  
35 delinquency, nor does the fact of performance during a period of  
36 expiration or delinquency affect liability issues.

37 ~~SEC. 32.~~

38 *SEC. 33.* Section 8805 of the Business and Professions Code  
39 is amended to read:

1     8805. The amount of the fees prescribed by this chapter shall  
2 be fixed by the board in accordance with the following schedule:

3     (a) The fee for filing each application for licensure as a land  
4 surveyor at not more than four hundred dollars (\$400) and for each  
5 application for certification as a land surveyor-in-training (LSIT)  
6 at not more than one hundred dollars (\$100).

7     (b) The fees to take an examination administered by a public  
8 or private organization pursuant to Section 8745 shall be no greater  
9 than the actual cost of the development and administration of the  
10 examination and may be paid directly to the organization by the  
11 applicant.

12     (c) The renewal fee for a land surveyor at not more than four  
13 hundred dollars (\$400).

14     (d) The fee for a retired license at not more than 50 percent of  
15 the professional land surveyor application fee in effect on the date  
16 of application.

17     (e) The delinquency fee at not more than 50 percent of the  
18 renewal fee in effect on the date of reinstatement.

19     (f) The board shall establish by regulation an appeal fee for  
20 examination. The regulation shall include provisions for an  
21 applicant to be reimbursed the appeal fee if the appeal results in  
22 passage of examination. The fee shall be no more than the costs  
23 incurred by the board.

24     (g) All other document fees are to be set by the board by rule.